

04-01-02

EXPRESS MAIL NO. EV064843905US

RECEIVED  
APR 03 2002  
PATENT  
CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christen M. Anderson et al.  
Application No. : 09/960,612  
Filed : September 20, 2001  
For : INHIBITION OF MITOCHONDRIAL CALCIUM/SODIUM  
ANTIPORTER

Examiner : Russell S. Travers  
Art Unit : 1617  
Docket No. : 660088.446  
Date : March 28, 2002

H6  
010/98  
4-18-02



Commissioner for Patents  
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

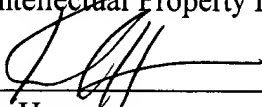
By Office Action mailed March 8, 2002, and pursuant to 35 U.S.C. §121, the Examiner has entered a Restriction Requirement between claims 1-11 and 22-40 directed to treating diabetes (Group I), claims 12-18 directed to detecting (Group II) and claims 1-11 and 22-40 directed to isolating (Group III).

Applicants hereby elect, without traverse, to continue prosecution of the Group I claim directed to methods for treating diabetes.

In addition, and for purpose of initial examination only, Applicants hereby elect the species identified as "Cpd. No. 1" at page 43 of the specification. The structure recited in claim 25 is generic to this species, while claims 27-34 read thereon.

In view of the above comments, consideration of the elected claims is respectfully requested.

Respectfully submitted,  
Christen M. Anderson et al.  
Seed Intellectual Property Law Group PLLC

  
Karl R. Hermanns  
Registration No. 33,507

KRH:lhk

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031  
D:\660088.446\270765\_1.DOC